

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 452, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF OATS.

On or about February 1, 1910, the Pendleton Grain Company, St. Louis, Mo., shipped from the State of Missouri to the State of Arkansas, one carload of white oats. Analysis of sample of this product made in the Bureau of Chemistry, United States Department of Agriculture showed it to be adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under Section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Arkansas. In due course a libel was filed against the said carload of white oats, charging adulteration of the product within the meaning of the act because it consisted of 9.2 per cent. barley, 6.8 per cent. wheat, 11.2 per cent. debris, weed seed, chaff, etc., and the balance white oats, and was misbranded in that the carload was invoiced, labeled and branded as No. 3 White Oats, which statements were false, misleading and deceptive because they were not white oats but a mixture of white oats, barley, weed seeds, debris, wheat, chaff, etc. Thereupon H. K. Cochran, Little Rock, Ark., made an appearance as claimant, and the case coming on for a hearing, the court rendered its decree of condemnation and forfeiture and ordered that the said product be delivered to claimant upon being branded "White Oats, mixed with weed seed, wheat, barley, chaff, etc." and upon a bond being filed conditioned that the product be not sold in violation of the law of any state, territory or insular possession of the United States.

This notice is given pursuant to Section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*

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